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March 8, 2023

VIA EMAIL

Michael R. Rueckheim
Winston & Strawn LLP
255 Shoreline Drive, Suite 520
Redwood City, CA 94065
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Re: Netlist v. Micron, No. 22-cv-203 (E.D. Tex.)

Dear Mike:

Micron has failed to satisfy its obligations pursuant to P.R. 3-4(a) regarding its HBM products, including Micron's HBM2, HBM2E, HBM3, HBMnext products. Micron refuses to offer source code for inspection, and has failed to produce technical documents, including schematics, sufficient to show the operation of those products with respect to the accused instrumentalities. Micron has maintained that its production to date is sufficient, and we therefore understand that Netlist must raise this matter with the Court. Please note that Netlist further intends to seek preclusive sanctions for Micron's willful failure to satisfy its obligations pursuant to P.R. 3-4(a).

Micron has persistently delayed this discovery for too long. Micron did not even respond to our request for inspection of source and correspondence regarding other technical documents for well over a month. We can afford no further delay. As we will confirm at tomorrow's lead/local meet and confer, unless Micron commits to making, by March 17, 2023, a complete production of technical documents, including source code and schematics, regarding its HBM products, Netlist will file its motion, and may in any event file its motion for sanctions.

Very truly yours,



Thomas C. Werner

cc: Counsel of Record (via agreed service emails)